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Current Class: [REDACTED]  
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Page: 1

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PAGE 01 BUENOS 05737 012125Z

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R 012005Z SEP 76  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC 6936

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(☒) Release (☐) Excise (☐) Deny

Exemption(s):

~~Classify~~: (☐) In Part (☒) In Full DECONTROL

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[REDACTED] BUENOS AIRES 5737

E.O. 11652: N/A

TAGS: SHUM, CASC, AR

SUBJECT: THREATENED CLOSURE BY GOA OF WATCHTOWER AND BIBLE TRACT  
SOCIETY

REF: (A) STATE 195291; (B) BUENOS AIRES 5177; (C) BUENOS AIRES 4836

1. JEHOVAH'S WITNESSES, REPRESENTED IN ARGENTINA AS WATCHTOWER AND BIBLE TRACT SOCIETY, COMPLIED IN 1948 WITH LAW AFFECTING ALL RELIGIOUS ORGANIZATIONS BY REQUESTING INSCRIPTION WITH MINISTRY OF FOREIGN RELATIONS AND WORSHIP. APPROPRIATE GOA AUTHORITY TO OPERATE AS "JURIDICAL PERSON" WAS GRANTED IN 1949. HOWEVER, THE WITNESSES' TRADITIONAL REFUSAL TO PERFORM MILITARY SERVICE AND TO RENDER HOMAGE TO THE FLAG AND OTHER NATIONAL SYMBOLS, INVIOLATION OF ARGENTINE LAW, LED TO THE REVOCATION OF THEIR INSCRIPTION AS A LEGALLY-RECOGNIZED CULT, BY DECREE OF THE GOA IN JULY 1950. AS FAR AS WE KNOW, THIS WAS ONLY BASIS FOR REVOCATION OF LEGAL STATUS.

2. THE WITNESSES HAVE APPEALED SEVERAL TIMES OVER THE YEARS SINCE 1950 FOR REVOCATION OF THE 1950 DECREE AND REINSTATEMENT AS RECOGNIZED CULT. LATEST REVIEW BY FOREIGN MINISTRY, AND REJECTION OF APPEAL, WAS DATED MAY 28, 1975. DURING THESE 26 YEARS, WITNESSES, AND SPECIFICALLY THE SOCIETY, HAVE CONTINUED TO FUNCTION, SUBJECT TO PERIODIC ATTEMPTS BY FEDERAL AND/OR PROVINCIAL GOVERNMENT TO STOP THEM FROM SO OPERATING. ATTEMPTS TO ENFORCE 1950 BAN HAVE BEEN SPORADIC, DEPENDING ON GOVERNMENT IN POWER, HAVE VARIED BY PROVINCE, AND HAVE BEEN GENERALLY UNSUCCESSFUL. MISSIONARY OPERATIONS OF SOCIETY HAVE CONTINUED,

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1976BUENOS05737

Page: 2

Channel: n/a

Case Number: 200000044

PAGE 02

BUENOS 05737 012125Z

AND ARGENTINE COURTS HAVE AVOIDED CONCLUSIVE FINDINGS ON MATTER OF WITNESSES' MILITARY SERVICE AND NATIONAL SYMBOLS VIOLATIONS. MOST RECENT EXAMPLE WAS EXPULSION OF STUDENTS OF WITNESSES FAMILIES IN PROVINCIAL SCHOOL FOR REFUSAL TO JOIN PRESCRIBED PATRIOTIC CEREMONIES, AND ARREST OF SOME PARENTS. CIVIL COURT REACHED SOLOMINIC CONCLUSION THAT WHILE WITNESSES HAD VIOLATED LAW, THEY HAD NOT DONE SO WITH ACTUAL INTENT TO INSULT NATIONAL SYMBOLS, AND DISMISSED CASE. IT IS PROBABLE THAT CURRENT PRESSURE AGAINST SOCIETY AND WITNESSES IN GENERAL IS REFLECTION MORE OF NEW MILITARY GOVERNMENT'S ENERGY AND CONCERN WITH PATRIOTIC VALUES THAN A NEW ATTACK ON WITNESSES AS SUCH.

3. WITNESSES HAVE STILL ANOTHER APPEAL BEFORE GOA AT MOMENT, AND ARE EXPECTING DECISION IN NEAR FUTURE. WE HAVE ESTABLISHED THAT MR. EISENHOWER, HEAD OF SOCIETY, IS NOT REQUESTING FORMAL INTERVENTION BY EMBASSY, BUT ONLY INFORMAL EFFORT TO INFLUENCE GOA CONSIDERATION OF CURRENT APPEAL FOR REINSTATEMENT.

4. APPARENTLY THE INVOLVEMENT OF U.S. CITIZENS IN QUESTION IS LIMITED TO ABOUT 14 MISSIONARIES, AND U.S. PROPERTY IS INVOLVED ONLY TO EXTENT OF PRINTING PRESSES AND SOCIETY PUBLICATIONS. REAL ESTATE, ETC., OF THE SOCIETY AND WITNESSES IS PROPERTY OF ARGENTINE NATIONALS.

5. WE HAVE REVIEWED LIMITED REFERENCES AVAILABLE TO US CONCERNING PROTECTION OF RELIGIOUS RIGHTS OF AMERICAN CITIZENS IN ARGENTINA. TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION, BETWEEN U.S. AND ARGENTINE, SIGNED JULY 27, 1853, IN ARTICLE XIII, APPEARS TO PROTECT AMERICAN CITIZENS HERE IN PERSONAL EXERCISE OF RELIGION, BUT DOES NOT ADDRESS MISSIONARY ACTIVITIES. WHITEMAN, IN VOL. 8:399-400, QUOTES 1959 DEPARTMENT INSTRUCTION TO AMEMBASSY BOGOTA WHICH APPEARS TO APPLY TO SITUATION OF WATCHTOWER SOCIETY IN ARGENTINA. THERE IS NO EVIDENCE THAT LIVES OR PERSONAL LIBERTIES OF AMERICAN CITIZENS INVOLVED IN THIS MATTER ARE ENDANGERED, OR THAT SPECIAL DISCRIMINATION HAS BEEN AIMED AT THEM BY GOA. THEY HAVE NOT BEEN PERMITTED IN SOME INSTANCES TO MAKE USE OF THEIR PROPERTY, I.E., PRESSES AND PUBLICATIONS, BUT THAT PROPERTY HAS NOT BEEN CONFISCATED. NO AMERICAN CITIZEN HAS COMPLAINED THAT HIS PERSONAL RELIGIOUS FREEDOM HAS BEEN LIMITED; WE UNDERSTAND, HOWEVER, THAT ORDERS HAVE BEEN ISSUED BY THE AUTHORITIES PROHIBITING MEETINGS OR OTHER ORGANIZATIONAL ACTIVITIES OF THE

Current Class: [REDACTED]

Page: 2

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1976BUENOS05737

Page: 3

Channel: n/a

Case Number: 200000044

PAGE 03

BUENOS 05737 012125Z

WITNESSES, WITH REFUSALS OF MEETING PERMITS TO BE BASED IN STATE OF SIEGE REGULATIONS. IT IS POSSIBLE THAT WE MAY RECEIVE COMPLAINTS THAT AMERICAN CITIZENS--THE MISSIONARIES-- ARE BEING PREVENTED FROM MEETING IN THEIR PLACES OF WORSHIP.

6. ON BALANCE, WE DO NOT BELIEVE THAT WE HAVE GROUNDS FOR FORMAL INTERVENTION OR FOR REPRESENTATIONS TO THE GOA, AND IT APPEARS THAT THE SOCIETY HAS NOT EXHAUSTED ALL LOCAL LEGAL RECOURSE. WE FEEL ON OTHER HAND THAT IT WOULD NOT BE INAPPROPRIATE, AT MIDDLE LEVEL OF FONMINISTRY, INFORMALLY TO NOTE CONCERN OF WITNESSES' HEADQUARTERS IN U.S. OVER SITUATION AND EXPRESS HOPE THAT GOA MIGHT BE ABLE TO FIND SOLUTION TO LIMITED PROBLEM PRESENTED BY WITNESSES' BELIEFS ON MILITARY SERVICE NATIONAL SYMBOLS, AS HAS BEEN MANAGED IN U.S. AND OTHER COUNTRIES.

7. WE HAVE JUST RECEIVED LETTER DATED AUGUST 2 FROM NATHAN H. KNORR, PRESIDENT WATCHTOWER BIBLE AND TRACT SOCIETY HEADQUARTERED IN NEW YORK, ADDRESSED TO AMBASSADOR HILL, REQUESTING "GOOD OFFICES" OF EMBASSY "TO AID US TO OBTAIN RECOGNITION IN ARGENTINA AS A LEGAL RELIGIOUS ORGANIZATION."

8. REQUEST DEPARTMENT'S VIEWS ON OUR INTERPRETATION OF POLICY ON PROTECTION OF RELIGIOUS ORGANIZATION, AND GUIDELINES ON INFORMAL APPROACH, IF ANY, WHICH WE MIGHT MAKE, AS WELL AS ANSWER TO GIVEN MR. KNORR.  
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Current Class: [REDACTED]

Page: 3

UNCLASSIFIED